
Introduced by Senator DeSaulnier

December 6, 2010

Senate Concurrent Resolution No. 2—Relative to the California Constitution Revision Commission.

LEGISLATIVE COUNSEL'S DIGEST

SCR 2, as introduced, DeSaulnier. California Constitution Revision Commission.

This measure would create the California Constitution Revision Commission with 19 members to examine, and make recommendations regarding, specified matters relating to state and local government.

Fiscal committee: yes.

1 WHEREAS, It is in the best interests of the state to examine the
2 functioning of state government and to develop proposals for
3 revisions to the California Constitution that will allow state
4 government to function more effectively; now, therefore, be it
5 *Resolved by the Senate of the State of California, the Assembly*
6 *thereof concurring*, as follows:
7 (a) The California Constitution Revision Commission is hereby
8 created.
9 (b) (1) The commission shall consist of 19 members, as follows:
10 (A) Nine members to be appointed by the Speaker of the
11 Assembly. Four of those members to be appointed pursuant to
12 paragraph (2). Of the other five members, no more than three
13 members may be registered with the same political party, no more
14 than two members may be Members of the Legislature, and two
15 members shall be appointed in consultation with the Assembly
16 Republican Caucus.

1 (B) Nine members to be appointed by the Senate Committee
2 on Rules. Four of those members to be appointed pursuant to
3 paragraph (2). Of the other five members, no more than three
4 members may be registered with the same political party, no more
5 than two members may be Members of the Legislature, and two
6 members shall be appointed in consultation with the Senate
7 Republican Caucus.

8 (C) The Legislative Analyst, or his or her designee.

9 (2) It is the intent of the Legislature that four of the members
10 to be appointed by the Speaker of the Assembly and four of the
11 members to be appointed by the Senate Committee on Rules be
12 designated by the Governor. Of those eight members designated
13 by the Governor, no more than one may be a Member of the
14 Legislature and no more than four may be registered with the same
15 political party.

16 (3) No lobbyist, as defined in Section 82039 of the Government
17 Code, may serve as a member of the commission. The membership
18 of the commission shall broadly reflect the ethnic, racial, cultural,
19 geographic, and gender diversity of the state.

20 (4) The initial appointments to the commission shall be made
21 no later than 90 days after this resolution is adopted by both houses
22 of the Legislature.

23 (c) (1) Each member of the commission shall serve without
24 compensation, but, upon appropriation by the Legislature, each
25 member shall receive one hundred dollars (\$100) for each day
26 while on official business of the commission. In addition, each
27 member shall be entitled to receive necessary expenses actually
28 incurred in the performance of his or her duties.

29 (2) The commission may appoint an executive secretary and fix
30 his or her compensation, to be paid upon appropriation by the
31 Legislature.

32 (d) The Legislative Counsel, Legislative Analyst, State Auditor,
33 and Department of Finance shall assist the commission in the
34 performance of its duties.

35 (e) The commission shall assist the Governor and the Legislature
36 by examining and making recommendations regarding all of the
37 following:

38 (1) The budget process, including, but not limited to, how the
39 budget is formulated and enacted, whether the budget process
40 serves the future needs of the state, the appropriate balance of

resources and spending by the state, and the fiscal relations of the state, federal, and local governments. The commission shall also examine any constraints and impediments that interfere with the orderly and comprehensive consideration of all fiscal matters that affect the development of a budget for the state, including, but not limited to, the requirement of a two-thirds vote in each house of the Legislature to impose taxes for the purpose of increasing revenues, the term of the budget, and spending mandates.

(2) The structure of state governance, including, but not limited to, the legislative and executive branches. In this regard, the commission shall examine state agencies and commissions in order to increase accountability and improve the process of formulating, considering, and approving policy determinations and a budget for the state.

(3) The current configuration of state and local government duties, responsibilities, and priorities, including, but not limited to, the following: the fiscal relations of state and local governments, including the revenue distribution relationship between local and state government; the types of services delivered; mechanisms of service delivery; desired program outcomes; methods of performance measurement; and any constraints or impediments that interfere with the most effective allocation of state and local responsibilities.

(4) The initiative and referendum processes, campaign finance, and term limits.

(f) The commission shall submit a report to the Governor and the Legislature no later than one year from the date of its initial meeting setting forth its findings with respect to the matters contained in subdivision (e). The commission should submit interim reports before that date whenever it makes a finding and recommendation on a specific topic.

(g) In carrying out its duties and responsibilities, the commission shall have the following powers:

(1) To meet at times and places as it may deem proper. The commission is subject to the provisions of the Bagley-Keene Open Meeting Act (Article 9 (commencing with Section 11120) of Chapter 1 of Part 1 of Division 3 of Title 2 of the Government Code).

1 (2) To contract, as it deems necessary, for the rendering of
2 services, facilities, studies, and reports to the commission as will
3 best assist it to carry out its duties and responsibilities.

4 (3) To cooperate with, and secure the cooperation of, county,
5 city, city and county, and other local government agencies in
6 investigating any matter within the scope of its duties and
7 responsibilities.

8 (4) To secure directly from every department, agency, or
9 instrumentality full cooperation, access to its records, and access
10 to any information, suggestions, estimates, data, and statistics that
11 it may have available.

12 (5) To do any and all things necessary or convenient to enable
13 it fully and adequately to perform its duties and to exercise the
14 powers expressly granted to it.